

REMARKS

Upon entry of this response, claims 1-31 are pending. Claims 1, 2, 4-5, 14-19, and 21-23 have been withdrawn. Claim 32 has been canceled in this Action, while claims 3, 8, 13, and 20 were previously canceled.

No new matter has been added by way of this response.

Restriction Requirement

Applicants acknowledge and thank the Office for including claims 24-32, added in the last response, in election Group II (claims 6, 7 and 9-12) for examination on the merits. Applicants reserve the right to pursue the subject matter of non-elected claims in a subsequently filed application.

Withdrawn Rejection under 35 U.S.C. §103(a)

Applicants acknowledge and thank the Office for withdrawing rejection of claims 6, 7, and 9-12 as obvious under 35 U.S.C. §103(a) over Kawakami.

Claim Rejection under 35 U.S.C. §112, ¶2

Applicants respectfully traverse and request reconsideration of the rejection of claim 32 under 35 U.S.C. §112, ¶2, as being indefinite. The Office asserts that the term "X-ray diffraction pattern" is of uncertain meaning. While Applicants believe that "X-ray diffraction pattern" meets the threshold requirements of clarity and precision under the written description requirement, in the interest of furthering prosecution, Applicants have canceled claim 32.

CONCLUSION

Applicants believe that the claims as presented represents allowable subject matter. If the Office desires, Applicants welcome a telephone interview to expedite prosecution. Applicants believe there is no fee due at this time. The Commissioner is hereby authorized to charge any applicable fees with respect to this Response to Deposit Account No. 19-3140.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

By: /David R. Metzger/
David R. Metzger
Registration No. 32,919
Customer No. 26263
Telephone No. 312-876-2578

ATTORNEYS FOR APPLICANT